

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

GREGORY ALLEN BATES,)	
)	
Plaintiff,)	
)	No. 2:14-cv-0009
v.)	
)	Judge Sharp
W.B. MELTON,)	Magistrate Judge Knowles
SHANNON HARVEY,)	
JOE HADDOCK,)	
WAYNE RAKE, and)	
CHRIS DISHMAN,)	
)	
Defendants.)	

ORDER

Plaintiff Gregory Allen Bates, a prisoner proceeding *pro se* and *in forma pauperis*, filed a Complaint on January 30, 2014, against multiple defendants, wherein he sought damages under 42 U.S.C. § 1983 for alleged violations of his civil rights that occurred while he was confined at an Overton County Sheriff's Office facility. *See* (Docket Entry No. 1, Complaint).

Pending before the Court is a *Motion to Dismiss for Failure to Prosecute and Comply with the Orders of the Court* (Docket Entry No. 21). No response was filed.

Magistrate Judge Knowles entered a Report and Recommendation ("R & R") (Docket Entry No. 27) in this case on October 10, 2014, recommending the motion be granted and "this action be dismissed for failure to prosecute, pursuant to Fed. R. Civ. P. 41(b) and for Plaintiff's failure to appear at his own deposition, pursuant to Fed. R. Civ. P. 37(d)(1)(A)(i)." No objections were made to the R & R.

Where no objections are made to the R & R, "[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the

magistrate judge with instructions.” Fed. R. Civ. P. 72(b). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

(1) The Report and Recommendation (Docket Entry No. 27) is hereby ACCEPTED and APPROVED;

(2) *Defendants, W.B. Melton, Shannon Harvey, Joe Haddock, Wayne Rake, and Chris Dishman’s Motion to Dismiss for Failure to Prosecute and Comply with the Orders of the Court* (Docket Entry No. 21) is hereby GRANTED;

(3) *Defendants, W.B. Melton, Shannon Harvey, Joe Haddock, Wayne Rake, and Chris Dishman’s Second Motion to Amend Scheduling Order* (Docket Entry No. 31) is hereby DENIED as moot; and

(4) This action is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE